



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON, D.C. 20370-5100

JRE
Docket No: 5051-00
15 December 2000

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 30 November 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you completed a Standard Form 93, Report of Medical History, on 23 December 1999. You denied having a history of depression, excessive worry, nervous trouble of any sort, or suicide attempts. You specifically denied a history of treatment for a mental disorder, and indicated that you had not received treatment for any significant medical conditions during the preceding five years. You were found physically qualified for enlistment on 23 December 1999, and enlisted in the Navy on 30 December 1999. You were interviewed by a Navy psychologist on 5 January 2000, and reported that you had received outpatient psychiatric treatment at age 17 related to your having been the victim of sexual abuse. You also indicated that you were fearful of people who were not family to you, and that you had been distraught since enlisting because of your difficulty in contacting your family when you needed to. You reported that you began to experience suicidal ideation during June 1999, and that you had had daily thoughts of suicide since entering on active duty. In addition, you reported that you had injured your knee intentionally, apparently in an effort to procure your discharge. The Navy psychologist determined that you met five of the eight diagnostic criteria for a diagnosis of a dependent personality disorder,

which was sufficient to establish that diagnosis, and he recommended that you be discharged because of the personality disorder. You were discharged by reason of erroneous enlistment on 14 January 2000, and assigned a reenlistment code of RE-4.

The Board did not accept the assertion of your psychiatrist to the effect that you do not suffer from a dependent personality disorder. In this regard, it noted that the psychiatrist did not present a cogent explanation of the basis for his determination, nor did he address the fact that you had previously reported symptoms which met five of the eight criteria for that diagnosis. Furthermore, he did not address the specifics of your revelations to the Navy psychologist on 5 January 2000 which led to your discharge. It was clear to the Board that you had experienced symptoms of significant emotional distress for an extended period of time prior to enlisting, that your failure to disclose those symptoms and your history of psychological counseling rendered your enlistment fraudulent, and that you were unsuitable for military service because of your mental state. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director